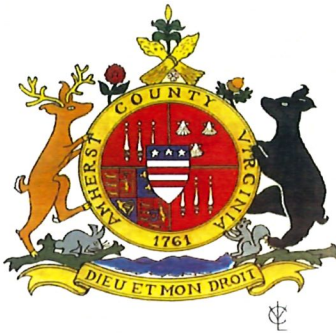


Board of Supervisors

Claudia D. Tucker, Chair
District 2
L. J. Ayers III, Vice-Chair
District 3
David W. Pugh, Jr., Supervisor
District 4
Kenneth M. Campbell, Supervisor
District 1
Jennifer R. Moore, Supervisor
District 5



County Administrator
Dean C. Rodgers

Interim County Attorney
Michael W. S. Lockaby

AMHERST COUNTY BOARD OF SUPERVISORS

MINUTES

AGENDA

March 20, 2018
Administration Building - 153 Washington Street - Public Meeting Room
Amherst, Virginia 24521
Meeting Convened -7:00 p.m.

- I. Call to Order**
- II. Approval of Agenda**
- III. Invocation and Pledge of Allegiance**
- IV. Citizen Comment**
- V. Public Hearing**
 - A. Special Exception Request – Short Term Tourist Rental
 - B. Special Exception Request – Wireless Communication Tower
- VI. Consent Agenda**
 - A. Minutes – February 20, 2018
 - B. Resolution 2018-0001-R Amherst County Emergency Operation Plan (EOP)
 - C. Second Stage VCA grant
 - D. Appropriation Request
 - E. ACSO and Animal Shelter Appropriation Request
- VII. New Business**
 - A. Old Town Madison Heights (OTMH) Main Street Improvement Project and the Amherst County Construction Ready Water and Sewer Project
 - B. Approval of Charters
 - C. Adoption of the Strategic Plan
 - D. Registrar FY 19 Supplemental Request
- VIII. County Administrator's Report**

- A. County Administrator Change (2018 CAC-1) to HR Regulation
- B. Boards/Commissions/Committees vacancies – quarterly report

IX. County Attorney's Report

- A. Enforcement Ordinances

X. Citizen Comment

XI. Matters from Members of the Board of Supervisors

XII. Adjournment

MINUTES

At a Regular Meeting of the Amherst County Board of Supervisors and held at the Amherst County Administration building, Amherst, Virginia, thereof on Tuesday, the 20th day of March, 2018, at 7:00 p.m., the following members were present:

BOARD OF SUPERVISORS:

PRESENT:	Claudia D. Tucker, Chair L. J. Ayers, III, Vice-Chair David W. Pugh, Jr., Supervisor Kenneth M. Campbell, Supervisor Jennifer R. Moore, Supervisor	ABSENT: None
----------	--	--------------

STAFF PRESENT: County Administrator Dean C. Rodgers; Deputy County Administrator David R. Proffitt; Interim County Attorney Michael W. S. Lockaby; and Executive Assistant Regina M. Rice

OTHERS PRESENT: Planning/Zoning Director Jeremy Bryant
Human Resource Director Linda Warner

I. Call to Order

Chair Tucker called the meeting to order at 7:10 p.m.

II. Approval of Agenda

By motion of Supervisor Ayers and with the following vote, the Board approved the agenda for March 20, 2018.

AYE:	Mrs. Tucker, Mr. Ayers, Mr. Pugh, Mr. Campbell and Ms. Moore
NAY:	None
ABSENT	None

III. Invocation and Pledge of Allegiance

Chair Tucker led the Invocation and Pledge of Allegiance.

IV. Citizen Comment

Ms. Gloria Witt of Madison Heights, Virginia addressed the Board as a citizen and on behalf of the advocacy group for the NAACP. Ms. Witt said the focus on the schools is on quality education and we cannot have economic development if we do not have an educated workforce. She said an increase in taxes should be something to consider to fund the schools.

Ms. Beverly Jones of Madison Heights, Virginia, addressed the Board and for consideration to fund Amherst County Public Schools fully. She said she supports a tax increase and explained how the four cents would make an impact.

Mr. Bill Peters of Amherst, Virginia, addressed the Board and supported Ms. Witt and Ms. Jones. Mr. Peters advised he was in favor of the five cent tax increase several years ago and if the County wants decent public schools, we will have to pay for it. He said he is willing to pay a tax increase.

The Citizen Comment session was closed.

v. Public Hearing

A. Special Exception Request – Short Term Tourist Rental

Planning/Zoning Director Bryant presented his report to the Board regarding a special exception request by Jamie and Joyce Kirby for a short-term tourist rental in the A-1 Agricultural District. This property is located at 257 West Highland Drive, Amherst, Virginia and further identified as Tax Map No. 48-2-5.

Mr. Bryant advised that the Planning Commission recommended approval of the special exception request with the following conditions

1. Lighting: All outdoor lighting will be glare-shielded and directed so as to prevent illumination across the property line.
2. Sewerage Facilities: The applicant shall follow all regulations prescribed by the Virginia Department of Health.
3. Short Term Tourist Rental: The applicant shall meet all requirements of Section 916 which regulates short-term tourist rental of dwellings.

The Public Hearing was opened.

Proponents: Mr. Jamie Kirby, Amherst, Virginia, stated he would like to rent the property and generate some income.

Opponents: None

The Public Hearing was closed.

By motion of Supervisor Ayers and with the following votes, the Board accept the Planning Commission recommendation and approved the special exception request with conditions.

AYE:	Mrs. Tucker, Mr. Ayers, Mr. Pugh, Mr. Campbell and Ms. Moore
NAY:	None
ABSENT	None

B. Special Exception Request – Wireless Communication Tower

Planning/Zoning Director Bryant presented his report to the Board regarding a special exception request by Crown Castle to replace a 50' telecommunications monopole with an 80' monopole on property located at 2631 North Amherst Highway, Amherst, Virginia.

Mr. Bryant reported that on March 6, 2018, Crown Castle held a balloon fly that was intended for neighboring property owners, the Planning Commission and Board of Supervisors members to see the height of the tower.

Mr. Bryant provided the Board with the following handout:

Zoning Case 2018-017 Crown Castle

During the Planning Commission meeting, Commissioner Thompson pointed out that the gravel access road leading to the tower needed additional gravel in certain locations. Ed Donohue, representing Crown Castle agreed to add gravel to areas that needed additional gravel. Although this conversation came up during the Planning Commission's discussion, this item was not added as a condition. If the Board would like to add that requirement, they should add a second condition. Staff recommends adding a second condition, this condition was agreed to by the applicant.

Recommended Motion: *I move that the Board accept the Planning Commission recommendation and approve the special exception request with the following conditions:*

- 1. Governmental Access: Prior to the issuance of a zoning permit, the Director of Public Safety shall determine if the County needs space to co-locate in accordance with Section 919.09.*
- 2. Access Easement: Prior to the issuance of a zoning permit, the Director of Planning and Zoning will inspect the access road to be sure that gravel was added to areas that are denuded or rutted.*
- 3. Removal of Tower & Height: Approval is to allow for the replacement of a 50' telecommunications monopole with a personal wireless service facility monopole not to exceed 80'.*

Ms. Tracy Themak of Crown Castle addressed the Board and presented information regarding the proposed replacement of an existing 50' monopole with an 80' monopole on property located at 2631 North Amherst Highway, Amherst, Virginia.

Ms. Themak explained the proposed monopole will accommodate Shentel and T-Mobile companies to provide continuous coverage along the Route 29 North corridor.

Ms. Themak stated the compound surrounding the monopole will be extended to allow for the equipment at the base and added landscaping, fencing and screening to be installed.

The Public Hearing was opened.

Proponents: None

Opponents: Ms. Ella Magruder of Amherst, Virginia, addressed the Board and stated she was not opposed to cell phones, however, remained adamant about maintaining the beauty of Amherst County.

Ms. Magruder explained a citizen group created the cell tower regulations in an attempt to control where towers were being put up, and that it would be done in a systematic manner. Since then, those regulations have been added to and exceptions been made; however, the original rules were to protect the view shed.

Ms. Magruder said that the coverage does not go around the county but only on the highways, and that certain carriers and their coverage did not extend more than a mile. She stated that this location is up on a high hill above the Tye River and would impact the view shed.

Mr. Mark Magruder of Amherst, Virginia, addressed the Board and advised he does see this tower every day and the proposed tower will be 30' taller. He advised he lives on the land next to this property and he cannot get cell coverage.

Mr. Magruder said when the rules were made for the 50', the "pin cushion" effect was not a bad thing. He said he was opposed to raising this tower an additional 30' and said the views are the last great view that you see toward the north.

Mr. Magruder stated he was opposed to this special exception and hoped that trees are planted around the tower and that the existing trees were not cut down, which will buffer the tower from the distant view. He said that when citizens got together and made the 50' rule, they did it because they wanted to keep Amherst County beautiful.

The Public Hearing was closed.

Supervisor Campbell commented that you can see the tower on Route 29 and there are currently four towers in that area and believed the lesser of evils would be to add the two additional carriers to this existing tower with the increased 30' height.

By motion of Supervisor Campbell and with the following vote, the Board accepted the Planning Commission's recommendation and approved the special exception request with the following conditions:

1. Governmental Access: Prior to the issuance of a zoning permit, the Director of Public Safety shall determine if the County needs space to co-locate in accordance with Section 919.09.
2. Access Easement: Prior to the issuance of a zoning permit, the Director of Planning and Zoning will inspect the access road to be sure that gravel was added to areas that are denuded or rutted.
3. Removal of Tower & Height: Approval is to allow for the replacement of a 50' telecommunications monopole with a personal wireless service facility monopole not to exceed 80'.

AYE:	Mrs. Tucker, Mr. Ayers, Mr. Pugh, Mr. Campbell and Ms. Moore
NAY:	None
ABSENT	None

VI. Consent Agenda

- A. Minutes – February 20, 2018
- B. Resolution 2018-0001-R Amherst County Emergency Operation Plan (EOP)
- C. Second Stage VCA grant
- D. Appropriation Request
- E. ACSO and Animal Shelter Appropriation Request

By motion of Supervisor Ayers and with the following vote, the Board approved the Consent Agenda for March 20, 2018.

AYE:	Mrs. Tucker, Mr. Ayers, Mr. Pugh, Mr. Campbell and Ms. Moore
NAY:	None
ABSENT	None

VII. New Business

- A. Old Town Madison Heights (OTMH) Main Street Improvement Project and the Amherst County Construction Ready Water and Sewer Project

County Administrator Rodgers said these are policies required by the Commonwealth as part of the community development block grant.

By motion of Supervisor Moore and with the following vote, the Board adopted the discussed policy documents.

AYE:	Mrs. Tucker, Mr. Ayers, Mr. Pugh, Mr. Campbell and Ms. Moore
NAY:	None
ABSENT	None

B. Approval of Charters

County Administrator Rodgers advised there are two more charters ready for the Social Services Board and the Parks & Recreation & Cultural Board, which have been reviewed by each Board, staff and the County Attorney.

By motion of Supervisor Pugh and with the following vote, the Board approved the Charters as presented.

AYE:	Mrs. Tucker, Mr. Ayers, Mr. Pugh, Mr. Campbell and Ms. Moore
NAY:	None
ABSENT	None

C. Adoption of the Strategic Plan

County Administrator Rodgers advised that the Board met in August 2017 to do strategic planning and produced six goals and objectives along with strategies to reach these goals.

- 1) Promote Tourism
- 2) Promote Business Growth
- 3) Achieve Education Excellence
- 4) Recruit/Retain High Quality Staff
- 5) Promote/Protect County Assets
- 6) Increase Citizen Engagement

Mr. Rodgers asked the Board for approval of these strategic plans. He said the next step will be for the Board to measure, written into the budget once final, and included where to direct funding.

Supervisor Campbell agreed with the strategic plan.

Supervisor Moore asked if this plan would be in the FY19 budget and when these would be completed.

Mr. Rodgers said the Board will gather in August and review the goals and if the Board is satisfied, the plan will move on and continue to be a living document of priorities to progress on.

Supervisor Pugh voiced his concern that he was not willing to commit as items which could change on a yearly basis and it should not be written in stone of what was going to happen.

Mr. Rodgers explained that the strategic plan was what the Board asked staff to do.

Chair Tucker said this was “roadmap” of what was important and where the Board wanted to go.

By motion of Supervisor Campbell and with the following vote, the Board adopted the Strategic Plan as presented.

AYE: Mrs. Tucker, Mr. Ayers, Mr. Pugh, Mr. Campbell and Ms. Moore
NAY: None
ABSENT None

D. Registrar FY 19 Supplemental Request

Ms. Francine Brown, Registrar for Amherst County addressed the Board and advised she missed the budget deadline to request hiring a full time assistant registrar. Ms. Brown stated she is now requesting an additional \$16,400 to upgrade the part-time assistant to full-time.

Mr. Kenneth Branham, member of the Amherst County Electoral Board, addressed the Board and explained the complexity of preparing for elections and additional work that three part-time assistances are required to do. Mr. Braham asked the Board to consider the additional funding for \$16,400 for the full time assistant.

County Administrator Rodgers explained that in the current supplemental budget as proposed are requests for a landfill operator, building inspector, and additional staff for IT. He explained we would forgo the additional person for IT and use that money to fund the \$16,400 request for the Registrar.

Supervisor Ayers stated that the motion would reflect that the Board would add the Registrar's request to the supplemental budget and approve the funding of \$16,400.

Mr. Rodgers said the funding would need to be recurring and that the supplemental budget request was for above and beyond existing staff. Due to this request, we would forgo the IT person for an additional year.

By motion of Supervisor Pugh and with the following vote, the Board approved funding for a full-time assistant registrar with \$16,400 of the current recurring revenues available to the Supplemental FY 19 budget.

AYE: Mrs. Tucker, Mr. Ayers, Mr. Pugh, Mr. Campbell and Ms. Moore
NAY: None
ABSENT None

VIII. County Administrator's Report

A. County Administrator Change (2018 CAC-1) to HR Regulation

County Administrator Rodgers addressed the Board and explained there were two items to change to the HR Regulation that will limit County benefits to regular full-time employees or regular part-time employees working 30 hours a week or more.

Human Resource Director Linda Warner explained she is ready to hire a consultant who may make recommendations on the employer share and allow leeway to make changes in the future.

By motion of Supervisor Moore and with the following vote, the Board accepted the County Administrator Change (2018 CAC-1) to the HR Regulation.

AYE: Mrs. Tucker, Mr. Ayers, Mr. Pugh, Mr. Campbell and Ms. Moore
NAY: None
ABSENT None

B. Boards/Commissions/Committees vacancies – quarterly report

Mr. Rodgers provided information on three upcoming vacancies on several boards; Central Virginia Community College Board; the Library Board of Trustees and the Social Services Board.

IX. County Attorney's Report

A. Enforcement Ordinances

County Attorney Lockaby addressed the Board and explained that these enforcement ordinances will place civil enforcement in property codes and allow the County to help citizens to be in compliance.

Mr. Lockaby said he drafted four different ordinances. The Board of Zoning Appeals ordinance has not been amended in the last three to four years and that this ordinance will need to match state law. The Zoning Ordinance Enforcement ordinance is for cosmetic and clarifications of what the Zoning Administrator can do and it tracks better with state code and building code enforcement.

Mr. Lockaby recommended that the Board move forward on both of these by forwarding them to the Planning Commission.

Mr. Lockaby explained the other two ordinances are newer and will require some consideration.

The Building Code Enforcement ordinance reflects major change to how the County does building code enforcement. Mr. Lockaby explained the proposed steps for consideration focus more on compliance.

The rehabilitation of derelict structures strategy has three difference elements: 1) tax credit for people who want to fix up their property; 2) receivership for derelict structures when there are times people cannot do those improvements and would allow the County to take ownership of the structure to fix it and bring it up to code, and then sell the property to recover costs; and 3) spot blight abatement for derelict structures would need to be passed with several ordinances.

Mr. Lockaby asked if the Board wanted to move forward with looking at the tax abatement, with the receivership and the spot blight abatement. If so, he would bring this back to the Board with an actual proposal.

Chair Tucker agreed that the first two items are ready to forward to the Planning Commission and requested a motion.

By motion of Supervisor Campbell and with the following vote, the Board moved that it finds that the public health, safety, general welfare, and good zoning practice require that the proposed revisions to Sections 1002 and 1402 of the Zoning and Subdivision Ordinance of Amherst County, Virginia, be referred to the Planning Commission for public hearing and recommendation(s) to the Board of Supervisors, following public notice as required by law. The Planning Commission shall make report not later than 100 days from this referral.

AYE:	Mrs. Tucker, Mr. Ayers, Mr. Pugh, Mr. Campbell and Ms. Moore
NAY:	None
ABSENT	None

In conclusion, Mr. Lockaby reiterated the Board's desire to have him bring back the civil enforcement for the CBO and tax abatement; however, not the receivership and spot blight abatement, which both issues could be revisited at a later time.

X. Citizen Comment

XI. Matters from Members of the Board of Supervisors

Supervisor Moore had no matter to discuss.

Supervisor Campbell had no matter to discuss.

Supervisor Pugh questioned the increase in debt for the Schools and asked when were payments due. Finance Director Stacey Wilkes explained the first payment will come into the FY19 budget.

County Administrator Rodgers said our operating budget is now larger because we moved the School debt into the County's budget.

Supervisor Ayers had no matter to discuss.

Chair Tucker made a recommendation to hold the next budget meeting on Tuesday, March 27, 2018. It was the Board's consensus to hold the next budget meeting on March 27, 2018 at 5:30 p.m.

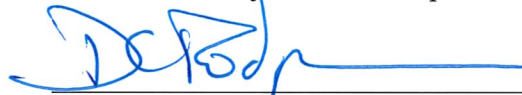
XII. Adjournment

By motion of Supervisor Campbell and with the following vote, the Board adjourned at 8:38 p.m.

AYE:	Mrs. Tucker, Mr. Ayers, Mr. Pugh, Mr. Campbell and Ms. Moore
NAY:	None
ABSTAIN:	None



Claudia D. Tucker, Chair
Amherst County Board of Supervisors



Dean C. Rodgers, Clerk